

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF VIRGINIA ALEXANDRIA DIVISION

In Re: \*  
Sheron Barton \*

Debtor \*

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Movant \*

Vs. \*

Real Time Resolutions, Inc \*

Respondent \*

Serve on:

Real Time Resolutions, Inc.  
P.O. Box 3655  
Dallas, TX 75235

Eric C. Green.  
Chief Executive Officer and  
President of Real Time Resolutions Inc.  
1750 Regal Row  
Dallas, TX 75235

Chase Home Mortgage  
Chase  
Attn: Customer Service Research  
Mail Code: OH4-7302  
P.O. Box 24696  
Columbus, OH 43224-0696

Case no: 1  
Chapter 13

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CLERK  
US BANKRUPTCY COURT  
ALEXANDRIA DIVISION

2013 OCT 11 P 4:25

FILED

1. **COMPLAINT OF DEBTOR TO DETERMINE STATUS AND AVOID LIEN  
PURSUANT TO 11 U.S.C. SECTION 506(a) AND 11 U.S.C. § 522(f):**

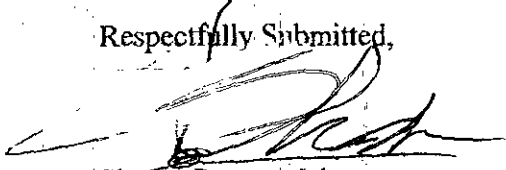
NOW COMES, the debtor (the "Movant"), by and through Sheron A. Barton (debtor), and in filing this Debtor's Motion to Determine Status and Avoid Lien Pursuant to 11 U.S.C. Section 506(a), states as follows:

2. This is a core proceeding over which the Court has subject matter jurisdiction pursuant to 11 U.S.C., Sections 502 and 506, 28 U.S.C., Section 157(b)(2)(B) and (K), and Federal Bankruptcy Rules 3012 and 9014. Motion for Lien Avoidance Pursuant to 11 U.S.C. § 522(f).
3. The Movant filed this case on February 26, 2013, under Chapter 13
4. The Movant is a resident of Fairfax, County Virginia and is the fee simple owner of an interest in certain real property known as 4456 B Beacon Grove Circle, Fairfax County, Fairfax Virginia (the "Property").
5. JP Morgan Chase Bank known as Chase Home Mortgage holds a senior mortgage lies ("First Lien") duly recorded in the Land Records of Office of Fairfax County, Virginia against the Property and is entitled to a secured claim in the amount of approximately \$398,863, per debtor's schedules.
6. Subsequent to when the First Lien was recorded, a junior mortgage lien ("Second Lien") was recorded in Favor of Chase Mortgage and was modified then subsequently Real Time Resolutions, a collection agency for Chase Mortgage. The amount currently owing on the Second Lien is approximately \$87,598.16 per debtor's schedules.
7. The property has a current value of \$344,415 from Zillow.com which is supported by an appraisal and the value from the Fairfax County taxes and assessments website. *See attached. Exhibit A.*
8. Pursuant to Sections 506(a) and 1322 of Title 11, of the Bankruptcy Code, the Second Lien of Respondent is wholly unsecured; there exists no equity in the Property above what is needed to Satisfy the First Lien.
9. Movant hereby files this Motion to determine the extent of value of the Respondent's security interest in the Property, and to strip /avoid the junior lien (Second Lien) of Respondent.
10. Such status determination and lien avoidance is necessary for the Movant's successful reorganization and for the benefit of unsecured creditor's.

WHEREFORE, upon the premises considered, the Movant respectfully requests this honorable Court find in favor of the Movant and enter an order that:

- a. Declares that the Second Lien of Respondent is wholly unsecured; and
- b. The junior mortgage lien (Second Lien) of Respondent is entirely avoided; and
- c. The Respondent shall remove it's Second Lien from the land records of the appropriate county upon completion of this case; and
- d. Grant such other and further relief as may be fair and just.

Respectfully Submitted,

  
Sharon Barton, debtor  
4456 B Beacon Grove Circle  
Fairfax, Virginia 22033

October 11, 2013

CERTIFICATION OF NOTIFICATION AND MAILING

I CERTIFY and affirm, under the penalties of perjury that on this 11<sup>th</sup> October day of October, 2013, a copy of the Motion to Determine Secured Status Pursuant to 11 U.S.C. Section 506, proposed Order and Notice of Hearing were mailed first class mail, postage prepaid to

cc Real Time Resolutions, Inc.  
P.O. Box 3655  
Dallas, TX 75235

Eric C. Green  
Chief Executive Officer and  
President of Real Time Resolutions Inc.  
1750 Regal Row  
Dallas, TX 75235

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Columbus, OH 43224-0696

Thomas P. Gorman, Chapter 13 Trustee  
300 North Washington Street  
Alexandria, Virginia 22314

Clerk of Court  
United States Bankruptcy Court  
200 South Washington Street  
Alexandria, VA 22314



Debtor: /s/ Sharon Barton

October 11, 2013